

APPROVED MINUTES APRIL 26, 2006
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
REGULAR MEETING
Rev 5/5/06

MEMBERS	PRESENT	ABSENT	EXCUSED
DIANE LOTHAMER, CHAIR	X		
HARVEY HARRIMAN – VICE CHAIR	X		
JIM SEITZ	X		
BOB BEDA	X		
JONATHAN HOUCK			X
ALAN PALLAORO	X		
COUNCILMEMBER ELLEN HARRIMAN	X		

OTHERS PRESENT: DIRECTOR STEVE WESTBAY, PLANNER KIM ANTONUCCI, PLANNING TECHNICIAN ANDIE RUGGERA, ROY DUNCAN, RICHARD KARAS, STEVE CRITTENDON, DON CROSBY, KAY PATTERSON, PAUL HALEY, CRAIG DUNCAN, JENNIFER DUNCAN, GERALD LAIN, MARY HUDSON, AND OTHER CONCERNED CITIZENS.

CALL TO ORDER AT 7:00PM BY CHAIR LOTHAMER

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC HEARING

Chair Lothamer opened the public hearing at approximately 7:00p.m. for Conditional Use application, CU 06-2, to operate light industrial uses.

Planner Antonucci gave a review of the application. Antonucci stated the applicant is Craig Duncan of West Elk Wood Floors. Mr. Duncan has an agreement with Steve Crittendon of Concrete Systems, Inc. to purchase the property at 808 West New York Avenue, contingent on the approval of this conditional use. The property is zoned Commercial and the applicant is requesting to operate light industrial uses such as a cabinet and carpenter shop, manufacturing or the assembly of products, and a wood floor contractor.

The applicant, Craig Duncan, stated he bought West Elk Wood Floors from Tom Pulaski and has been trying to find property for his shop since the purchase. Mr. Duncan stated he is a small business that is trying to grow.

The following public comment was received:
Roy Duncan – the applicant's father

Mr. Duncan stated that his son, Craig, has many rental properties around town and takes very good care of them.

A letter from Tom and Jani Pulaski, dated April 26, 2006, stating support of the applicant was entered into the record.

There was discussion on the findings and conditions located in the staff report and recommendation. Discussion included required number of parking spaces, type of business in second half of building, and concerns regarding ventilation, sprinkling, and proper storage of materials.

The public hearing was closed at approximately 7:25p.m.

PUBLIC HEARING

Chair Lothamer opened the public hearing at approximately 7:25p.m. for Conditional Use application, CU 06-3, to operate a 60 unit senior RV park for summer use only.

Planner Antonucci gave an overview of the request. The property is a 6.8 acre unimproved site north of the Gunnison Living Community. The applicant is requesting to develop and operate a 60 unit recreational RV park for senior citizens. The property is zoned R3.

Don Crosby, President of the Gunnison Home Association, stated the organization has been trying to come up with new activities to help with the cost associated with running the Willows (Gunnison Living Community). Mr. Crosby gave an overview of the proposed RV park, discussing the legal question of the trust fund associated with the subject property, location of trash receptacles, setbacks, utility easements, and road dimensions.

The following public comment was received:

Gerald Lain – Today Realty

Mr. Lain stated he receives phone calls every week regarding RV parking. He stated the proposed request should be approved to accommodate for viability of the neighborhood. Mr. Lain stated there is a tremendous need for RV parking and thinks the project is a breath of fresh air. Mr. Lain recommended that the Commission approve the proposed RV park without hesitation.

There was discussion on the findings and conditions located in the staff report and recommendation. Discussion included storage of RVs on the property through the winter months and security in the park.

The public hearing was closed at approximately 8:10p.m.

CONSIDERATION OF MARCH 22, 2006 MEETING MINUTES

Commissioner Seitz moved to approve the meeting minutes of March 22, 2006 as presented. Commissioner Harriman seconded the motion.

Roll Call Yes: Beda, Lothamer, Ellen, Harvey, and Seitz

Roll Call No: None

Abstain: Pallaoro – was not present at the March 22nd meeting.

Motion Carried

CONSIDERATION OF APRIL 12, 2006 MEETING MINUTES

Commissioner Seitz moved to approve the meeting minutes of April 12, 2006 as presented. Commissioner Harriman seconded the motion.

Roll Call Yes: Lothamer, Ellen, Harvey, and Seitz

Roll Call No: None

Abstain: Beda and Pallaoro – were not present at the April 12th meeting.

Motion Carried

POSSIBLE RECOMMENDATION – CONDITIONAL USE, CU 06-2, SUBMITTED BY CRAIG DUNCAN, TO OPERATE LIGHT INDUSTRIAL USES AT 808 WEST NEW YORK AVENUE

Commissioner Harriman moved to approve conditional use, CU 06-2, submitted by Craig Duncan, with the following findings and conditions:

FINDINGS OF FACT

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; provisions of the City of Gunnison Land Development Code; and the City of Gunnison Master Plan Volumes I and II (1994).
2. The Planning and Zoning Commission finds that the property is within the Commercial zone district and the neighborhood is located within the transitional boundary between commercial and residential uses.
3. The Planning and Zoning Commission finds that the application requests the operation of two construction contractors and a small retail display area within the building.
4. The Planning and Zoning Commission finds building contractor shop operations create noise, dust and other inherent problems that need to be addressed through conditional measures aimed to mitigate the issues.
5. The Planning & Zoning Commission finds that conditions will need to be imposed to mitigate impacts to the neighbors that address hours of operation, exterior lighting, noise levels, and outside storage.
6. The Planning Commission finds that the change in occupancy on the premises will require a building permit.
7. The Planning & Zoning Commission finds that site is served by existing utilities.

8. The Planning and Zoning Commission finds that maintenance of the alley will be the same as all other City alleys, and approval of this conditional use will not constitute the need for additional City snow plowing in the alley.
9. The Planning and Zoning Commission finds that the seven review standards as stated in the Land Development Code for conditional use permits have been or will be met based on the following conditions of approval:

CONDITIONS

1. The proposed parking areas shall be paved and striped before October 31, 2006.
2. This conditional use permit shall be allowed for the following conditional uses only: plumbing, electrical, sheet metal, construction or paint contractors; or for the assembly of finished wood products (cabinets, trim packages, stairs and floor covering products). Other uses are not permitted at this site; for example, fabrication of wood structural elements (trusses, beams, etc.), except for stairs, shall be prohibited. .
3. Noise generated by this use shall not exceed 65 decibels as heard from any adjacent property.
4. The proposed landscaping plan must be installed before October 31, 2006.
5. Outside storage of construction materials is prohibited.
6. A building permit and resulting certificate of occupancy must be obtained by the applicant prior to occupancy of this structure for the uses approved herein.
7. The owner shall notify the Community Development Department of the nature of the business of all tenants.
8. Parking requirements shall be approved by the Community Development Director.

Commissioner Pallaoro seconded the motion.

Roll Call Yes: Seitz, Beda, Lothamer, Ellen, Pallaoro, and Harvey

Roll Call No: None

Motion Carried

**POSSIBLE RECOMMENDATION – CONDITIONAL USE, CU 06-3,
SUBMITTED THE GUNNISON HOME ASSOCIATION, TO OPERATE A 60
UNIT SENIOR RV PARK FOR SUMMER USE ONLY**

Commissioner Harriman moved to approve conditional use, CU 06-3, submitted by Gunnison Home Association to operate a 60 unit senior RV park, with the following findings and conditions:

FINDINGS OF FACT

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; provisions of the City of Gunnison Land Development Code; and the City of Gunnison Master Plan Volumes I and II (1994).
2. The Planning and Zoning Commission finds that the property is within the R-3 zone district and is located near residential dwellings and senior citizen facilities.
3. The Planning and Zoning Commission finds that sewer services are provided by the West Gunnison Sewer District and a service commitment letter will be provided by the district in the near future.

APPROVED MINUTES APRIL 26, 2006

CITY OF GUNNISON

PLANNING & ZONING COMMISSION

Page 5 of 6

4. The Planning and Zoning Commission finds that the application requests the operation of a 60-unit RV park to be used seasonally by senior citizens.
5. The Planning and Zoning Commission finds that the use as proposed may generate impacts to the neighborhood. The Planning Commission further finds that certain restrictions are necessary to protect the health, safety and welfare of the community.
6. Development of the RV park will require the realignment of an existing irrigation ditch and the Planning and Zoning Commission finds that persons/entities with water rights in the irrigation ditch crossing the property have fairly broad rights under Colorado Revised Statutes to maintain related facilities.
7. The P&Z finds that the Gunnison Home Association has agreed to dedicate to the city, a 20' utility easement along the western parcel boundary as a part of the approval consideration for this RV park conditional use.
8. The Planning and Zoning Commission finds that utilities developed for the RV park conditional use are temporary in scope and quality and are not adequate to serve any development other than this RV park application proposal.
9. The Planning and Zoning Commission finds that a commitment letter from the West Gunnison Sewer District agreeing to the design, construction and service of this proposed RV park will be necessary for this project to move forward.
10. The proposed RV park layout submitted by the application meets all development provisions established in Section 15-7-2-D (RVPark) except for refuse and garbage (15-7-2-D-11), and the Planning and Zoning Commission finds that this standard must be met.
11. The Planning and Zoning Commission finds that the seven review standards as stated in the Land Development Code for conditional use permits have been or will be met based on the conditions established below.

CONDITIONS

1. A building permit shall be required for the office facility proposed by this application.
2. The RV park shall operate only during the months of April through October.
3. The Operation of the RV park in a manner that is contrary to the related warranty deed restriction shall constitute a violation of this conditional use permit and shall result in a stop use order.
4. The Gunnison Home Association shall establish a legal description and corresponding easement document dedicating to the city, a 20' easement along the western parcel boundary constituting this RV park site. The easement language is subject to approval by the Community Development Director and the RV park operation shall not commence until the easement is recorded.
5. Utilities developed for the RV park conditional use shall not be considered adequate to serve any other development plan considered for this site. Any other development plan shall provide engineered utility plans that conform to city construction standards at the time of such application.
6. Prior to construction of sewer utilities, the applicant shall provide the Community Development Director a commitment letter from the West Gunnison Sewer District agreeing to the design, construction and service of this proposed RV park project as considered by this application.

7. The applicant shall comply with all RV park development standards to include Refuse and Garbage provisions (Section 15-7-2-D-11).
8. Operation of the RV park shall be in full conformance with Chapter 14, Article 6 of the Land Development Code.

Commissioner Seitz seconded the motion.

Roll Call Yes: Beda, Lothamer, Pallaoro, Ellen, Seitz, and Harvey

Roll Call No: None

Motion Carried

COUNCIL UPDATE

Councilmember Harriman stated Council received a report from Events Coordinator, Sally Palmer, awarded the Colorado Adventure Sports Festival \$2000 from the Continued Challenge Grant program, and discussed insurance reserve issues.

ADJOURNED

Chair Lothamer closed the meeting at approximately 8:40p.m.

Diane Lothamer, Chair

Attest:

Andie Ruggera, Secretary